

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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BOBETTE J. MORIN,

Plaintiff,

vs.

5:07-cv-517  
(DNH/ATB)

HON. JAMES C. TORMEY, et al.,

Defendants.

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WILLIAM D. FRUMKIN, ESQ., Attorney for Plaintiff  
CHARLES J. QUACKENBUSH, AAG, Attorney for Defendants

ANDREW T. BAXTER, United States Magistrate Judge

**ORDER**

Various discovery-related motions and other matters have been referred to this court for decision, pursuant to 28 U.S.C. § 636(b)(1)(A) and Local Rules N.D.N.Y. 72.3(a), by the Honorable David N. Hurd, United States District Judge (Dkt. Nos. 115, 123, 149, 150, 166).

**WHEREFORE**, for the reasons set forth by this court on the record during the telephone conference conducted on February 1, 2010, it is **HEREBY**:

**ORDERED** that Defendant's motion for contempt sanctions under Fed. R. Civ. P. 45(e) (Dkt. No. 115) is **DENIED**; and it is

**ORDERED** that Defendant's letter motion regarding plaintiff's response to Defendants' Third Interrogatories (Dkt. No. 123) is terminated, without prejudice, as moot; and it is

**ORDERED** that, with respect to the matter relating to possible sanctions (Dkt.

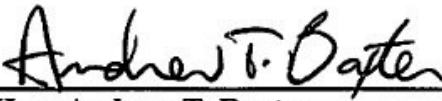
No. 149):

- (a) counsel for the Defendants is directed to file, on or before February 16, 2010, a memorandum of law and affidavit, not to exceed 12 pages in total, per the directions provided by this court during the telephone conference on February 1, 2010;
- (b) counsel for the Plaintiff is directed to file, on or before February 25, 2010, a responsive memorandum of law and affidavit, not to exceed 8 pages in total, per the directions provided by this court during the telephone conference on February 1, 2010; and it is

**ORDERED** that Plaintiff's Motion to compel payment of expert witness fees by defendants (Dkt. No. 150) is **GRANTED IN PART**, in that Defendants are directed to pay an expert fee of \$250 to Claire Howard on or before February 19, 2010; and it is

**ORDERED** that Plaintiff's letter request dated July 23, 2009 (Dkt. No. 166) is **GRANTED IN PART**, in that the Clerk of the Court is directed to remove copies of the document filed on CM-ECF by Defendants as Dkt. Nos. 115-11 and 158-4 because a copy of said document is filed, under seal, as Dkt. No. 164.

Dated: February , 2010

  
**Hon. Andrew T. Baxter**  
**U.S. Magistrate Judge**